

Filed for intro on 02/04/98

SENATE BILL 3125
By Henry

AN ACT to amend Tennessee Code Annotated, Section 63-6-218 and Title 68, Chapter 140, relative to automatic external defibrillators.

WHEREAS, the legislature finds that the number of deaths due to sudden cardiac arrest is too high; and

WHEREAS, the key to preventing this high number of deaths is to dramatically expand the availability of defibrillation therapy in a timely fashion; and

WHEREAS, recent breakthroughs in automatic external defibrillator technology have resulted in the availability of devices that have proven to be exceptionally safe and effective in treating sudden cardiac arrest; and

WHEREAS, these new devices are small, lightweight, durable, affordable and are safe and easy to use with minimum training; and

WHEREAS, the widespread availability of these new devices will prevent hundreds of unnecessary deaths due to sudden cardiac arrest; and

WHEREAS, the legislature has determined that it is in the public interest to have these devices readily available to the general public, while requiring that those using the devices be properly trained and also activate the emergency medical services system immediately upon using the device on a person in cardiac arrest; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

50000001

50000001

011116

01111618

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 140, is amended by adding Sections 2 through 4 as a new, appropriately designated part.

SECTION 2. It is the intent of the legislature that an automatic external defibrillator may be used in accordance with the provisions of Section 4 for the purpose of saving the life of another person in cardiac arrest.

SECTION 3. As used in this act “AED” or “defibrillator” means an automatic external defibrillator.

SECTION 4. In order to ensure public health and safety:

(1) A person or entity who acquires an automatic external defibrillator shall ensure that:

(A) Expected defibrillator users receive American Heart Association CPR and AED or an equivalent nationally recognized course in defibrillator use and cardiopulmonary resuscitation;

(B) The defibrillator is maintained and tested according to the manufacturer’s operational guidelines; and

(C) Any person who renders emergency care or treatment on a person in cardiac arrest by using an automatic external defibrillator activates the emergency medical services system as soon as possible.

(2) Any person or entity who acquires an automatic external defibrillator is encouraged to register the existence and location of the defibrillator with the emergency communications district or the ambulance dispatch center of the primary provider of emergency medical services where the automatic external defibrillator is to be located.

SECTION 5. Tennessee Code Annotated, Section 63-6-218, is amended by adding the following language as a new subsection (e):

(e) Any person, including those identified in subsection (b) of this section or §§ 63-6-222 or 68-135-201, who in good faith and without compensation renders

emergency care or treatment by the use of an automatic external defibrillator shall be immune from civil liability for any personal injury as a result of such care or treatment or as a result of any act or failure to act in providing or arranging further medical treatment where the person acts as an ordinary reasonably prudent person would have acted under the same or similar circumstances.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.